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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

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AMY JOSEPH, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

TRADER JOE'S COMPANY,

Defendant.

Case No. 2:16-cv-01371-ODW-AJW

STIPULATION AND JOINT
MOTION TO CONSOLIDATE
CASES

Hon. Otis D. Wright II

CHRISTINE SHAW, individually, and on
behalf of all others similarly situated,

Plaintiff,

v.

TRADER JOE'S COMPANY, a
California corporation,

Defendant.

Case No. 2:16-cv-02686-ODW-AJW

1 SARAH MAGIER and ATZIMBA
2 REYES, individually and on behalf of all
3 others similarly situated,

4 Plaintiffs,

5
6 v.

7 TRADER JOE'S COMPANY and
8 TRADER JOE'S EAST INC.,

9 Defendants.

Case No. 2:16-cv-04531-ODW-AJW

10
11 KATHY ALIANO, individually, and on
12 behalf of all others similarly situated,

13 Plaintiff,

14
15 v.

16 TRADER JOE'S COMPANY, a
17 California corporation,

18 Defendant.

Case No. 2:16-cv-04733-ODW-AJW

1 Counsel for the Parties in four related actions pending before this Court, *Joseph*
 2 *v. Trader Joe's Company*, Case No. 2:16-cv-01371-ODW-AJW, *Magier, et al., v.*
 3 *Trader Joe's Company, et al.*, Case No. 2:16-cv-04531-ODW-AJW, *Aliano v. Trader*
 4 *Joe's Company*, Case No. 2:16-cv-04733-ODW-AJW, and *Shaw v. Trader Joe's*
 5 *Company*, Case No. 2:16-cv-02686-ODW-AJW (collectively, the "Related Actions"),
 6 hereby stipulate and agree as follows:

7 WHEREAS, the Related Actions are putative class actions that similarly assert
 8 allegations relating to sales of Trader Joe's 5-ounce cans of tuna;

9 WHEREAS, counsel for the Parties agree that consolidation is in the best
 10 interests of the Parties;

11 WHEREAS, counsel for the Parties believe that consolidation also would
 12 benefit the Court, as it could avoid duplicative motions and inconsistent outcomes,
 13 and therefore promote the efficient administration of justice; and

14 WHEREAS, Plaintiffs' counsel are actively exploring a leadership structure for
 15 Plaintiffs' representation in the Related Actions,

16 THEREFORE, THE PARTIES STIPULATE AND AGREE AS FOLLOWS:

- 17 1. The Related Actions are putative class actions that similarly assert
 18 allegations relating to sales of Trader Joe's 5-ounce cans of tuna, such that
 19 consolidation is appropriate under Rule 42(a) of the Federal Rules of Civil
 20 Procedure ("Rule 42(a)(2)");
- 21 2. Subject to the Court's approval, the Parties stipulate and agree that the
 22 Related Actions shall be consolidated for all purposes, pursuant to Rule
 23 42(a)(2), with all future filings to be done in Case No. 2:16-cv-01371-ODW-
 24 AJW, which shall be captioned *In re Trader Joe's Tuna Litigation*;
- 25 3. As proposed in the Supplemental Joint Status Report the Parties filed with
 26 this Court on October 24, 2016, if Plaintiffs' counsel are able to collectively
 27 arrive at a leadership structure, they shall submit their joint proposal to the
 28 Court no later than November 7, 2016;

1 4. If Plaintiffs' counsel are unable to collectively arrive at a leadership
 2 structure, Plaintiffs' counsel shall submit their motions for the appointment
 3 of interim class counsel, pursuant to Federal Rule of Civil Procedure 23(g),
 4 by November 7, 2016;

5 5. Plaintiffs shall have thirty days from the date the Court enters an order
 6 establishing the leadership structure for Plaintiffs' counsel to file a
 7 Consolidated Amended Class Action Complaint (the "Consolidated
 8 Complaint"); and

9 6. Defendants Trader Joe's Company and Trader Joe's East, Inc.
 10 ("Defendants") shall have sixty days, from the date the Consolidated
 11 Complaint is filed, to respond to the Consolidated Complaint.

12 Consistent with these stipulations, the Parties jointly move the Court to enter an
 13 order that (1) consolidates the Related Actions; (2) allows Plaintiffs thirty days from
 14 the date the Court enters an order establishing the leadership structure for Plaintiffs'
 15 counsel to file a Consolidated Complaint; and (3) allows Defendants sixty days from
 16 the filing of the Consolidated Complaint to file a response.

17 A proposed order is lodged concurrently herewith.

18
 19 Dated: October 31, 2016

Respectfully submitted,

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27 *Attorneys for Plaintiff Kathy Aliano*

28 Dated: October 31, 2016

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1 Dated: October 31, 2016

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